

## Office of the Secretary of Defense

## § 326.3

exempt under the provisions of 5 U.S.C. 552a(k)(2).')

### PART 326—NATIONAL RECONNAISSANCE OFFICE PRIVACY ACT PROGRAM

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AUTHORITY: Pub. L. 93-579, 88 Stat 1896 (5 U.S.C. 552a).

SOURCE: 65 FR 20372, Apr. 17, 2000, unless otherwise noted.

#### § 326.1 Purpose.

This part implements the basic policies and procedures outlined in the Privacy Act of 1974, as amended (5 U.S.C. 552a), and 32 CFR part 310; and establishes the National Reconnaissance Office Privacy Program (NRO) by setting policies and procedures for the collection and disclosure of information maintained in records on individuals, the handling of requests for amendment or correction of such records, appeal and review of NRO decisions on these matters, and the application of exemptions.

#### § 326.2 Application.

Obligations under this part apply to all employees detailed, attached, or assigned to or authorized to act as agents of the National Reconnaissance Office. The provisions of this part shall be made applicable by contract or other legally binding action to government

contractors whenever a contract is let for the operation of a system of records or a portion of a system of records.

#### § 326.3 Definitions.

*Access.* The review or copying of a record or its parts contained in a system of records by a requester.

*Agency.* Any executive or military department, other establishment, or entity included in the definition of agency in 5 U.S.C. 522(f).

*Control.* Ownership or authority of the NRO pursuant to federal statute or privilege to regulate official or public access to records.

*Disclosure.* The authorized transfer of any personal information from a system of records by any means of communication (such as oral, written, electronic, mechanical, or actual review) to any person, private entity, or government agency other than the subject of the record, the subject's designated agent, or the subject's legal guardian.

*He, him, and himself.* Generically used in this part to refer to both males and females.

*Individual or requester.* A living citizen of the U.S. or an alien lawfully admitted to the U.S. for permanent residence and to whom a record might pertain. The legal guardian or legally authorized agent of an individual has the same rights as the individual and may act on his behalf. No rights are vested in the representative of a dead person or in persons acting in an entrepreneurial (for example, sole proprietorship or partnership) capacity under this part.

*Interested party.* Any official in the executive (including military), legislative, or judicial branches of government, U.S. or foreign, or U.S. Government contractor who, in the sole discretion of the NRO, has a subject matter or physical interest in the documents or information at issue.

*Maintain.* To collect, use, store, disclose, retain, or disseminate when used in connection with records.

*Originator.* The NRO employee or contractor who created the document at issue or his successor in office or any official who has been delegated release or declassification authority pursuant to law.